

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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	:	21cv10431 (DLC)
DAVID RAUS et al.,	:	
	:	PRETRIAL
Plaintiffs,	:	<u>SCHEDULING ORDER</u>
	:	
-v-	:	
	:	
ELEMENTS PRODUCTION, LCC et al.,	:	
	:	
Defendants.	:	
	:	
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DENISE COTE, District Judge:

As set forth at the pretrial conference held pursuant to Rule 16, Fed. R. Civ. P., on November 3, 2022, the following schedule shall govern the further conduct of pretrial proceedings in this case:

1. The defendants shall file a letter by **December 1, 2022** updating the Court on the status of service on third-party defendant Backbone North America, Inc.
2. The parties shall file a joint letter by **December 1, 2022** regarding the festival ticket refund process and the status of discussions related to the refunds. The letter shall advise the Court whether the parties require the assistance of a Court-appointed mediator or Magistrate Judge Stewart D. Aaron for discussions related to the refunds.
3. The plaintiffs shall file a letter by **December 1, 2022** detailing whether a website for this class action would be helpful.
4. The parties are instructed to contact the chambers of Magistrate Judge Stewart D. Aaron by **November 4, 2022** in order to schedule settlement discussions under his supervision to occur in **January 2023**.
5. All fact discovery must be completed by **April 26, 2023**.
6. The following motions will be served by the dates indicated

below.

Motion for Class Certification

- Motion served by **February 23, 2023**
- Opposition served by **March 29, 2023**
- Reply served by **April 19, 2023**

Motion for Summary Judgment

- Motion served **May 24, 2023**
- Opposition served by **June 14, 2023**
- Reply by **June 28, 2023**

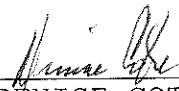
At the time any reply is filed, the moving party shall supply Chambers with two (2) courtesy copies of all motion papers by mailing or delivering them to the United States Courthouse, 500 Pearl Street, New York, New York.

7. In the event no motion for summary judgment is filed, the Joint Pretrial Order must be filed by **May 24, 2023**

As described in greater detail in this Court's Individual Practices in Civil Cases, the following documents must be filed with the Pretrial Order: Voir Dire, Requests to Charge and a Memorandum of Law addressing all questions of law expected to arise at trial. Any responsive papers are due one week thereafter. In the event a party does not file a Memorandum of Law, a responsive Memorandum of Law should not be submitted unless in reply to an unanticipated legal argument in the other party's Memorandum of Law.

SO ORDERED:

Dated: New York, New York  
November 4, 2022

  
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DENISE COTE  
United States District Judge